

RESOLUTION NO. _____

PROPOSED RESOLUTION NO. 18-033

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA, ADOPTING A 2018 AMENDED AND RESTATED DEVELOPMENT ORDER WITH CONDITIONS FOR A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS THE OAKBRIDGE DEVELOPMENT OF REGIONAL IMPACT, ON PROPERTY DESCRIBED HEREIN, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 380.06, FLORIDA STATUTES; SETTING FORTH FINDINGS OF FACT, CONCLUSIONS OF LAW, CONDITIONS OF APPROVAL AND APPLICANT’S PROVISIONS FOR PUBLIC FACILITIES; PROVIDING FOR THE EXPIRATION OF THE AMENDED AND RESTATED DEVELOPMENT ORDER; PROVIDING FOR RECORDING; FINDING THE OAKBRIDGE DEVELOPMENT OF REGIONAL IMPACT TO BE IN CONFORMANCE WITH THE COMPREHENSIVE PLAN; PROVIDING FOR LOCAL MONITORING; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Lakeland (“City”) is the governing body of the unit of local government having jurisdiction over the issuance and conditions of issuance of a Development Order, pursuant to Section 380.06, Florida Statutes; and

WHEREAS, the Drummond Company, Inc. (“Applicant”) filed an Application for Development Approval for a Development of Regional Impact for the development known as the Oakbridge Development of Regional Impact (“DRI”) with the City in 1985, pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, in 1987, the City adopted a development order for the DRI that has been amended on numerous occasions (the “Original Development Order”); and

WHEREAS, the City adopted an Amended and Restated Development Order in 2003 incorporating all of the previous amendments to the Original Development Order (the “2003 Amended and Restated Development Order”); and

WHEREAS, the City has subsequently approved two notices of proposed change to the 2003 Amended and Restated Development Order; and

WHEREAS, the City adopted an Amended and Restated Development Order in 2007 incorporating all of the previous amendments to the Original Development Order (the “2007 Amended and Restated Development Order”); and

WHEREAS, the City has subsequently approved four notices of proposed change to the 2007 Amended and Restated Development Order (“NOPC Changes”); and

WHEREAS, the City has subsequently approved numerous administrative clean-up and other changes to the 2007 Amended and Restated Development Order (“Administrative Changes”); and

WHEREAS, the Applicant has filed an Application for an amendment to the Development Order to the City (the “2017 Application”); and

WHEREAS, the City has conducted a duly noticed public hearing regarding the amendment of the 2007 Amended and Restated Development Order and the issuance of a 2018 Amended and Restated Development Order to reflect the changes requested in the 2017 Application and to reflect the NOPC Changes and the Administrative Changes to the 2007 Amended and Restated Development Order (hereafter also referred to as the “Development Order”) and during the conduct of said hearing, solicited and evaluated comments, testimony and reports, both verbal and written, from local, state, and regional agencies and interested citizens about the issuance of a 2018 Amended and Restated Development Order by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA, THAT:

SECTION 1. RECITALS. The foregoing recitals are hereby incorporated herein by reference.

SECTION 2. APPROVAL OF ADA. The City, in accordance with the laws of the State of Florida and the recommendation of the Central Florida Regional Planning Council (“CFRPC”), does hereby accept the Application for Development Approval (ADA) and supplemental materials submitted by the Applicant for the Oakbridge DRI. The ADA and supplemental information and materials submitted by the Applicant to the

City, the original of which is filed with the City, are incorporated by reference as if fully set forth herein.

SECTION 3. ADOPTION OF DEVELOPMENT ORDER Pursuant to Section 380.06, Florida Statutes, the City does hereby adopt and issue this 2018 Amended and Restated Development Order, and authorizes and directs the appropriate City officials to execute same. In addition to the provisions contained herein that amend the provisions of the 2007 Amended and Restated Development Order, the City has restated in this 2018 Amended and Restated Development Order all of the provisions of the 2007 Amended and Restated Development Order that are not hereby modified so that this Development Order contains all of the applicable Development Order provisions for this DRI, shall be deemed the entire text of the Development Order through the adoption date of this Development Order and may be relied upon without reference to any previous versions of the Development Order.

SECTION 4. FINDINGS OF FACT. The City hereby makes the following findings of fact.

(1) The Applicant owns the undeveloped portions of the Oakbridge DRI, all of which are located within the municipal limits of the City of Lakeland. The Original Development Order for the DRI addressed approximately 1,418 (±) acres. The legal description for the Oakbridge DRI as addressed through the revised ADA is attached hereto as Exhibit “A,” but was previously modified to remove the property located on the southwest corner of the intersection of Harden Boulevard and the Polk County Parkway that was acquired by the State of Florida Turnpike Authority. The current DRI contains a total of approximately 1,362 (±) acres. The Project is located entirely within the City limits of the City of Lakeland (see Project Location Map, Exhibit “A-2”) and is not located within an Area of Critical State Concern as defined in Section 380.06, Florida Statutes. The 2007 Amended and Restated Development Order modified the transportation improvements to be provided in conjunction with the development of the remaining undeveloped portions of the Oakbridge DRI as such improvements relate to the efforts of Polk County and the Harden-Parkway Community Redevelopment Agency (“CRA”) to undertake such

transportation improvements. The portion of the CRA that lies within the boundary of the DRI is depicted in the attached Exhibit “A-3.”

(2) The ADA was provided to the City and the CFRPC on or about February 15, 2012, for review.

(3) The ADA was supplemented in response to inquiries from the City and CFRPC staff, and such supplemental information is incorporated into and made a part of this Development Order by reference.

(4) The primary purpose of this 2018 Amended and Restated Development Order is to incorporate the several amendments and administrative clean-up and other changes that have occurred since the adoption of the 2007 Amended and Restated Development Order and to incorporate the changes requested in the ADA and approved by the City and CFRPC.

(5) The ADA includes a revised master development plan (“Master Plan”) and a table of land uses, by phase, all of which are attached hereto as Exhibits “B-1” and “B-2.” The ADA also includes other maps illustrating the general distribution of land uses, the transportation system, development phases, drainage plans, vegetative and soils associations, flood prone areas, site topography and necessary improvements.

(6) Subsequent to the adoption of the Original Development Order, significant public infrastructure improvements have been provided or planned for the vicinity of the Oakbridge DRI, including the construction of the Polk County Parkway and other improvements.

(7) Traffic which is anticipated from the Oakbridge DRI will impact the transportation network as indicated in the ADA traffic analyses by TEI Engineers and Planners in 2003, and updated by the traffic analysis by Stantec (“Traffic Study”); however, it is reasonable to expect that roadway improvements generally necessary to meet the needs generated by this development can be implemented within existing and proposed funding mechanisms, including, without limitation, the CRA, concurrent with the proposed development schedule.

(8) In order to address the impacts of the Oakbridge DRI upon the transportation network, the Applicant has, in conjunction with the ADA, completed and submitted an updated traffic analysis to the City in which it identified the transportation

improvements that are necessary to accommodate the traffic impacts generated by the Oakbridge DRI (“Transportation Improvements”). The provisions of the Traffic Study are incorporated herein by reference as if fully set forth herein. The original traffic study and a 2017 supplemental traffic analysis were filed with the City. The Transportation Improvements have been modified in accordance with further traffic analysis and study by the Applicant, the City, and Polk County to properly address the transportation impacts of the Oakbridge DRI in a manner that generates the most public benefit.

Transportation Commitments (Paragraphs 9-12)

(9) In conjunction with the ADA, the Applicant provided financial assurance to the CRA so that the CRA could implement all the Transportation Improvements that are identified in the transportation study submitted prior to and in conjunction with the ADA as a condition of the approval of the Development Order (the “CRA Financial Assurance”). The modified specific Transportation Improvements were attached to the 2007 Amended and Restated Development Order and included peak hour transit service provided by LAMTD as funded by the Harden CRA and the FDOT.

(10) Additionally, the Applicant paid the Lakeland Area Mass Transit District (“LAMTD”) an amount agreed to by and between the Applicant and LAMTD in the amount of \$68,947.99 (the “LAMTD Contribution”) towards operational costs for the transit services, in addition to those amounts that may be paid to or on behalf of LAMTD from the CRA. As a result of the amounts budgeted to be paid to LAMTD from CRA and the LAMTD Contribution, the Applicant has satisfied all obligations to LAMTD.

(11) In addition to the commitment to provide financial assurance to the CRA so that the CRA can implement the Transportation Improvements, the Applicant has agreed to dedicate the right-of-way owned by the Applicant and specifically depicted in Exhibits “D-1” and “D-2,” which are attached to the 2007 Amended and Restated Development Order (collectively, the “Right of Way Contributions”). The right of way dedicated in D-1 anticipates a new north-south road, referred to herein as the “Lakeside Village Road,” but the final name may be changed to a name that is approved by the City. The Applicant waived the right to utilize previously granted transportation impact fee credits (that had been granted to the Applicant for prior dedications of right-of-way for the widening of Harden Boulevard north of the Polk County Parkway) for all lands within Lakeside Village,

the multi-family immediately adjacent to Lakeside Village, and the 6.5 +/- acres of the Property proposed for commercial and hotel development at the intersection of Harden Boulevard and the Polk Parkway South Frontage Road in the southeast quadrant of the Property.

(12) The CRA Financial Assurance for the Transportation Improvements, the Right of Way Contributions and the LAMTD Contribution may be collectively referred to as the “Transportation Commitments.” Further, the City staff supported the creation of the CRA to facilitate the creation of some of the required road network improvements and to otherwise cooperate with the Applicant as set forth in this Development Order. The Applicant has satisfied its obligation with respect to transportation concurrency requirements as a result of the creation of the CRA and the Applicant’s agreement to provide the Transportation Commitments.

(13) By utilizing the Development Order conditions and through the completion of any required Transportation Improvements provided by the Applicant, as well as programmed public improvements, the traffic generated by the Oakbridge DRI can be accommodated on the existing and future transportation facilities and said facilities should operate at or above minimally acceptable levels of service.

(14) By utilizing the Development Order conditions and through the completion of any required Transportation Improvements provided by the Applicant pursuant to the updated portion of the Traffic Study, the traffic generated by the additional development within the Oakbridge DRI reflected in the ADA and the updated development schedule of uses can be accommodated on the existing and future transportation facilities and said facilities should operate at or above minimally acceptable levels of service.

(15) The existing and planned public utilities to be made available to the Oakbridge DRI in accordance with the information in the ADA are adequate to service the Oakbridge DRI. Additionally, the Applicant coordinated with Lakeland Water Utilities to address system needs, including the looping of water distribution lines to ensure water service reliability and to provide public safety and fire protection.

(16) The City has made a commitment to provide necessary public utility facilities to accommodate the impacts of the Drummond-owned development parcels in the northeast and northwest quadrants of the Oakbridge DRI, including a commitment to

reserve and provide, as of the effective date of the 2007 Amended and Restated Development Order, water and sewer capacity to all of the remaining Drummond-owned development within the area of the CRA and hereby make a commitment to reserve and provide, as of the effective date of this 2018 Amended and Restated Development Order, water and sewer capacity to the southeast quadrant of the Oakbridge DRI.

(17) On November 14, 2012, the CFRPC conducted a duly noticed public hearing pursuant to Section 380.06, Florida Statutes, and, on November 14, 2012, transmitted to the City its written recommendations concerning the issuance of an amended Development Order (the “CFRPC Report”). The CFRPC reviewed the proposed 2018 Amended and Restated Development Order and approved the adoption by the City of the 2018 Amended and Restated Development Order.

(18) The CFRPC Report recommended approval of the ADA, subject to certain conditions.

(19) The data and information presented by the Applicant in the ADA and associated Traffic Study, as updated, is sufficient to enable the City to review and issue the Development Order.

(20) The staff of the City Community Development Department reviewed the ADA, the information, analysis and supporting documentation for the ADA provided by the Applicant, and the recommendation of the CFRPC.

(21) The City Planning and Zoning Board held a public hearing on November 20, 2012, to consider the ADA and receive input from the Applicant, City staff and the general public.

(22) On December 17, 2012, the City Commission convened the required public hearing on the ADA, at which time they considered the Applicant’s presentation, the Planning and Zoning Board recommendation, the Community Development staff recommendation, the CFRPC Report and comments from the public.

(23) The Development Order for the Oakbridge DRI, as conditioned, is consistent with the report and recommendations of the CFRPC submitted pursuant to Chapter 380, Florida Statutes.

(24) The staff of the City Community Development Department reviewed the ADA and the analysis, information and attachments to the ADA provided by the Applicant and the recommendation of the CFRPC.

(25) **Land Use or Zoning Changes.** The proposed development of the Oakbridge DRI shall be in accordance with the Master Site Plan - Map H incorporated herein as Exhibit “B-1”, and the Table of Land Uses incorporated herein as Exhibits “B-1” and “B-2.”

(a) Land use areas and zoning districts may be modified on final development plans to reflect actual surveyed land areas. Changes to land uses in the DRI shall be governed by Chapter 380.06, Florida Statutes.

(b) The total number of residential units or non-residential square feet that may be permitted will not increase; however, units or square feet may be transferred from parcel to parcel during detailed design, subject to the applicable local zoning procedures. These changes will not constitute a substantial change to the DRI but may require analysis of the operational impacts on the transportation system.

(c) **Re-Allocation Modification; DeMinimus Modification.** The developer may change the allocation of land uses by land use map amendment and/or a zoning action, and shall not be required to file a notice of proposed change (“NOPC”) under Chapter 380, Florida Statutes, as long as the changes result in an equivalent number of trips as proposed in the Master Plan – Map H and traffic analysis approved with this Development Order and where the land use change is of less intensity or density than approved in this 2018 Amended and Restated Development Order (“Re-Allocation Modification”). With respect to this provision, the Applicant may propose changes that both increase and decrease uses within the 2018 Amended and Restated Development Order as long as there are no resulting increases in trips as reflected in an updated Traffic Study submitted to the City and Central Florida Regional Planning Council and the City and Central Florida Regional Planning Council reviewed the updated Traffic Study and agreed that no net increase in traffic trips or regional impact are created by the Re-Allocation Modification. Such changes do not conflict with the requirements of Ch. 380.06, Florida Statutes. Also, a DeMinimus change of 1,000 square feet or less does not require an NOPC (“DeMinimus Modification”). A DeMinimus Modification shall be

processed through City staff. In the event of either a Re-Allocation Modification or DeMinimus Modification, the Applicant shall be required to provide the City with an updated Master Plan, Map H, and an update of Table of Land Uses illustrating phasing and development data and, if the land use changes are approved, shall also submit the updated table and master plan with its next annual monitoring report to all relevant agencies.

(d) **Build Out Date.** The build-out date for the Oakbridge DRI was originally proposed to be December 31, 2006. As a result of the 2003 Amended and Restated Development Order, the build-out date for the Oakbridge DRI was modified to be December 31, 2012. In accordance with Committee Substitute for House Bill 1375 (2007) that was signed by the Governor on June 19, 2007, and became effective on July 1, 2007, thereby modifying Section 380.06 (19)(c), Florida Statutes, the build-out date was further modified to be December 31, 2015. Further, in accordance with Committee Substitute for Senate Bill 1752 (2010) that was signed by the Governor on May 28, 2010, and became effective on May 28, 2010, thereby modifying Section 380.06 (19)(c), Florida Statutes, the build-out date was further modified to be December 31, 2017. Subsequently, Section 380.06(19)(c)(2), Florida Statutes, was further amended to reflect the 2011 real estate market conditions, the build-out date was further modified to be December 31, 2021. Additionally, pursuant to Section 252.363, Florida Statutes, the build-out date is statutorily extended for the tolling period for the period of the longest state of emergency (Zika State of emergency, for 300 days) plus six months each for the other pending states of emergency (wildfire and Hurricane Irma), to October 22, 2023.

(26) The development of the Oakbridge DRI pursuant to the ADA will be consistent with the achievement of the objectives of the adopted State Comprehensive Plan, Chapter 187, Florida Statutes, and the CFRPC Strategic Regional Policy Plan and therefore will not unreasonably interfere with those objectives.

(27) The development of the Oakbridge DRI pursuant to the ADA will be consistent with the City of Lakeland Comprehensive Plan, as amended, and the City's Land Development Regulations, as amended.

(28) The development of the Oakbridge DRI pursuant to the ADA will be substantially consistent with the report and recommendations of the CFRPC, pursuant to Section 380.06, Florida Statutes.

SECTION 5. CONCLUSIONS OF LAW.

(1) The City's review of the ADA and the issuance of this Development Order have been conducted pursuant to and complies with the provisions of Chapter 380, Florida Statutes.

(2) The CFRPC fully performed the duties required of it pursuant to Chapter 380, Florida Statutes.

(3) The ADA, as supplemented by the Applicant, complies with the requirements of Section 380.06, Florida Statutes, and Chapter 9J-2, Florida Administrative Code.

(4) The City Commission conducted the necessary public hearings on the Oakbridge DRI Development Order, after providing notice in the manner prescribed by Chapter 380, Florida Statutes.

(5) Interested members of the public were afforded the opportunity to file responses, present argument and evidence on all issues, to conduct cross examination and present rebuttal evidence, and to submit proposed findings of fact to the City Commission during the public hearings referenced herein.

(6) The rights and obligations set forth in this Development Order shall inure to the benefit of and be binding upon the Applicant, any subsequent property owners effected by this Order and their successors, assignees, and grantees.

(7) This approval constitutes acceptance of the proposed uses, size, type, and intensity/density of the Oakbridge DRI as reflected in the ADA. Development shall occur in accordance with this Development Order and other applicable regulations. This Development Order does not constitute a zoning or rezoning for any portion of the Oakbridge DRI.

(8) The Oakbridge DRI is consistent with the State Comprehensive Plan.

(9) The Oakbridge DRI, as conditioned through this Development Order, is consistent with the CFRPC Report and Recommendation.

(10) The Oakbridge DRI, as conditioned through this Development Order, is consistent with the City of Lakeland Comprehensive Plan and the City of Lakeland Land Development Regulations.

NOW, THEREFORE, BE IT FURTHER ORDERED AND RESOLVED BY THE LAKELAND CITY COMMISSION, IN REGULAR SESSION DULY ASSEMBLED THE 4TH DAY OF JUNE, 2018, in accordance with the laws of the State of Florida, based upon the Findings of Fact and Conclusions of Law and subject to the following conditions, that the Amended and Restated Development Order for the Oakbridge DRI is approved, pursuant to Section 380.06, Florida Statutes.

SECTION 6. CONDITIONS OF APPROVAL.

(1) Land Uses.

(1)(a) Land Use Approval. The land uses authorized by this Development Order are those set forth in the Master Plan – Map H attached as Exhibit “B-1” and Table of Land Uses attached as Exhibit “B-2”, both of which are specifically incorporated herein by reference.

(1)(b) Phasing. For purposes of this Development Order, a phase shall be deemed to have commenced upon the issuance of the first building permit for a phase and shall be considered complete on issuance of the building permit for the final development approved by the City for the phase. Phases are listed in the Table of Land Uses, Exhibit “B-2”.

(1)(c) Alternative Allocation. The Applicant shall have the right to develop North Village 17.84 +/- acre parcel with the alternative uses reflected in the Master Plan – Map H attached hereto and incorporated herein by reference as Exhibit “B-1” without any further approval of the City, CFRPC, or DEO.

(2) Governing Documents. The Oakbridge DRI shall be developed in accordance with the information, data, plans and commitments contained in the ADA and supplemental information, all of which are incorporated herein by reference, unless otherwise directed by the conditions enumerated herein. Specifically, the Oakbridge DRI shall consist of no more than the land uses set forth in the ADA and supplemental information, unless this Development Order is hereafter amended.

(3) Zoning. The Applicant shall apply for Planned Unit Development zoning district classification or modification to the PUD for each new development within the

Oakbridge DRI as may be required to ensure consistency with this 2018 Amended and Restated Development Order and all approved land uses. However, zoning is a local issue and is independent from and may be modified without changing this Development Order. Zoning will be granted in the normal process and in compliance with this Development Order and all conditions therein, the phasing schedule, consistent with the Master Plan, Map H, and Exhibit “B-2”, Table of Land Uses, the Lakeland Comprehensive Plan, and Lakeland Land Development Code.

(4) Environmental and Natural Resources.

(4)(a) Radon Mitigation. The Applicant will address building site radon concerns in accordance with the provisions of Chapter 64E-5, Part X, Environmental Radiation Standards, and Part XII, Radon Requirements, Florida Administrative Code, as may be hereafter amended. Further, the Applicant will comply with the radon notification statement set forth in Section 404.056(5), Florida Statutes, as may be hereafter amended. In addition, the Applicant will comply with the provisions of Appendix B Chapter 9B-52 F.A.C. Florida Standard for Passive Radon-Resistant Construction and Appendix E Chapter 9 B-67 Florida Standard for Radon-Resistant New Construction as Mandated in Part X, Chapter 553, Florida Statutes as may be hereafter amended.

(4)(b) Stormwater Management. The Applicant shall implement the Project in a manner consistent with policies of the Southwest Florida Water Management District (“SWFWMD”) as currently in place or as, from time to time, amended per the Environmental Resource Protection (ERP) standards governing land development in the SWFWMD area, and the goals, objectives and policies of the Lakeland Comprehensive Plan, including the City’s adopted minimum level of service standard for stormwater management. Specifically, to reduce the potential for downstream flooding resulting from the project as relates to peak discharges entering Poley Creek and Itchepakesassa Creek, post-development discharges shall not exceed pre-development peak discharges per SWFWMD ERP analysis procedures.

(4)(c) Wetlands and Floodplains. While wetlands, open-water ponds, and stormwater retention areas are widely distributed across the subject property, most of the wetlands are man-made systems that are a result of past mining activities. Off-site wetland mitigation has been proposed and approved by the SWFWMD and Army Corp of

Engineers (“ACOE”) for the proposed Lakeside Village located in the northwest quadrant. Future development within wetland areas will be subject to additional review and approval by SWFWMD and ACOE as well as for consistency with City of Lakeland Comprehensive Plan policies which include a priority on first avoiding impacts to wetlands but, where that is not possible, to ensure no net loss of similar quality wetlands. Development activity, particularly within the southeast quadrant, shall be carried out in a manner consistent with Federal Emergency Management Administration (FEMA) standards and City of Lakeland Comprehensive Plan policies. No clearing, grading, or other site development work shall take place in the existing wetlands (or any wetland buffer areas as designated by State law or City of Lakeland land development regulations) and surface waters in the southeast quadrant known as South Village (“South Village”) until such time as state environmental resource permits and ACOE permits for the work have been issued and the proposed mitigation approved. All necessary best management practices shall be employed to protect wetlands adjacent to the South Village from direct and indirect impacts from the development activities.

(4)(d) Vegetation and Wildlife. Virtually all of the lands within the project area were previously disturbed from phosphate mining conducted in the 1940’s. The reclaimed areas are usually grass fields maintained by mowing. The unreclaimed portions of the property consist of old mine pits and berms, dominated by volunteer trees and shrubs that are typical of old mined areas. While the presence of rare species is diminished, development of the South Village shall further comply with the following conditions:

(i) Surveys for listed wildlife species shall be conducted prior to clearing and other site preparations activities. Surveys shall follow the methodologies recommended by the Florida Fish and Wildlife Conservation Commission’s Planning Tool and shall be appropriately timed for the target species.

(ii) The Applicant shall coordinate with the Florida Fish and Wildlife Conservation Commission (FWC) and U.S. Fish and Wildlife Service (FWS) as appropriate on the management, relocation, and/or monitoring of any listed wildlife species identified by the pre-clearing.

(iii) Surveys for listed plant species shall be conducted prior to clearing and other site preparation activities. Any plant species listed as endangered or

threatened by the Florida Department of Agriculture and Consumer Services, or as critically imperiled, imperiled, or rated by the Florida Department of Economic Opportunity (“FDEO”), that are identified on the site shall be transplanted to appropriate habitat areas offsite, as is feasible.

(iv) Surveys of all known and potential wading bird nesting areas shall be conducted prior to clearing and other site preparation activities. If nesting wading bird species or nests are identified, no disturbances shall occur to the habitat as well as a buffering surrounding it (width to be specified by FWC) until such time as nesting is completed and juveniles have left the area.

(v) The Applicant shall obtain all necessary permits from the FWC and the FWS prior to the relocation of any wildlife species.

(vi) The Applicant shall comply with all recommendations made by the FWC and the FWS.

(4)(e) Soil Suitability. Development shall proceed in a manner consistent with the original, 1985 ADA, and the 2003 revised ADA and supporting documentation which addressed concerns regarding soil suitability due to past phosphate mining activity on the site. Final development plans for residential and non-residential developments shall be signed and sealed by a professional engineer licensed in the State of Florida. Structure and foundations for new development shall be compatible with soil suitability as per geotechnical data and soils analysis for the subject property. The CFRPC shall be promptly notified if any construction plans or techniques are not consistent with the Applicant’s representations or are not acceptable to the City of Lakeland. With respect to the North Village development, Applicant shall submit a copy of all soil boring and other relevant soil and site engineering reports with respect to the North Village development within 14 days of completion of such reports to the Lakeland Public Works Engineering staff. An electronic copy of the reports or a written summary of their findings shall be included with the submittal of the subsequent Oakbridge DRI Annual Report as normally provided to the City of Lakeland, state and the CFRPC.

(4)(f) Water Conservation. The Applicant agrees to observe all State, regional and local water conservation laws or adopted rules as apply to the use of potable and non-potable water in regard to new or redevelopment activity including any

recreational land uses. The subject property has on-site wells for use in irrigation. Should reclaimed water become available in the vicinity of the project, the Applicant will explore the use of the reclaimed water for irrigation purposes in coordination with and per the approval of the City Water Utilities Department.

(5) Infrastructure.

(5)(a) Transportation Concurrency. The Applicant caused the Transportation Improvements to be included as funded projects within the CRA community improvement program and provided financial assurance to the CRA for the funding of the Transportation Improvements in the form of a letter of credit in satisfaction of the City's concurrency requirements for the proposed development. All on and off-site transportation improvements must meet City, County or State requirements including the design of traffic signals. Access points for the DRI are limited to those shown on Map H, the Master Plan, Exhibit "B-1", and described in Exhibit "B-3".

(5)(b) Based on the previously completed Traffic Study, as amended, that has been reviewed and accepted by the City, the significant contributions by the Applicant of right-of-way to accommodate the Transportation Improvements, the Applicant's obligation to pay the Proportionate Share Contribution as addressed in this 2018 Amended and Restated Development Order as a result of the updated traffic analysis for the Traffic Study and the approval of the Proportionate Share calculations by the City and FDOT, the Applicant's obligation to satisfy the Transportation Commitments, the waiver of entitlement to significant transportation impact fee credits for the area of the CRA and subject to the inclusion of the Transportation Improvements as funded projects within the CRA community improvement program with a letter of credit from the Applicant to provide financial assurance for the funding of the Transportation Improvements, the Oakbridge DRI shall be deemed to meet the concurrency requirements of the City and be consistent with the City of Lakeland Concurrency Management Ordinance, as amended, regardless of the status of the Transportation Improvements as undertaken by the CRA.

Notwithstanding the above, annual traffic monitoring shall include an analysis as to whether the projected transportation impacts (at minimum, that existing conditions fall greater than 15% of the project's projected peak hour trip generation for all portions of the development analyzed including each phase) and the required, listed Transportation

Improvements are sufficient to accommodate the actual impacts of the Applicant's development in a safe manner. Where the traffic monitoring report and applicable standards require additional transportation improvements (road, sidewalk, and/or transit) to accommodate the project impacts, and as agreed to by the City, the Applicant shall be responsible for funding and implementing such improvements as a condition of continued compliance with the City's concurrency management ordinance and this Development Order. Failure to implement additional required transportation improvements within an agreed upon timeframe shall constitute a violation of the DRI. In the event of such a violation of the DRI and until such violation has been resolved by the Applicant or otherwise resolved by the City, no additional concurrency approvals shall be considered by the City, for the DRI.

(5)(c) Transportation Improvement Funding.

(5)(c)(1) CRA Funding. The Applicant has, through and in coordination with the City and other governmental entities, facilitated the creation of the CRA to utilize CRA tax increment funds to support the debt service on the sale of bonds to fund the design and construction by the CRA of the Transportation Improvements which have been determined to sufficiently mitigate the Oakbridge DRI transportation impacts on each significantly impacted State, County and/or City roadway, as found on the City's concurrency roadway network database. These mechanisms have been used to reasonably ensure that all necessary public transportation facilities shall be constructed and made available when needed to accommodate the impacts of the proposed Development consistent with the provisions of Chapters 163 and 380, Florida Statutes.

(5)(c)(2) Additional Transportation Funding

(5)(c)(2)(a) Proportionate Share. The South Village and other additional development (“**Additional Development**”) was not included within the CRA community improvement program. As such, the Applicant developed a Proportionate Share calculation for the transportation improvement funding for the Additional Development that was reviewed and approved by District One FDOT and the City of Lakeland. The Proportionate Share calculation considered the following:

(i) List of roadway improvements that are the responsibility of the Additional Development to maintain the level of service standard;

(ii) Increased service volume provided by each contributing improvement.

(iii) Length of segment and cost per mile; intersection improvements and improvement components.

(iv) Improvements cost including engineering, right-of-way, construction, utility relocation, CEI, and if proposed as a mitigating improvement, an appropriate inflation factor (pursuant to the United States Department of Labor Bureau of Statistics) calculated from one year after the official approval of the improvement cost by the City of Lakeland through the month of payment by the Applicant.

(v) Project traffic impact.

(vi) Proportionate share contribution.

(vi) Proportionate share amount.

This table was revised by the aforementioned agencies to confirm the appropriateness of inputs and the proportionate share calculations. They also determined if a roadway improvement identified by the Applicant as a targeted transportation improvement(s) for proportionate share spending to mitigate impacts was appropriate. Applicant will be entitled to impact fee credits in the amount of any Proportionate Share contribution. The City of Lakeland and FDOT approved the Proportionate Share calculations and a Proportionate Share contribution requirement in the amount of \$111,139.00 (the “Proportionate Share Contribution”).

(5)(c)(2)(b) Payment of Proportionate Share Contribution. Before issuing any building permits for development in the South Village project and in no event later than twelve months after the recording of this 2018 Amended and Restated Development Order in the public records of Polk County, Florida, the Applicant shall pay the Proportionate Share Contribution to the City of Lakeland as mitigation for the DRI traffic impacts of the construction of the additional entitlements and improvements authorized in this 2018 Amended and Restated Development Order.

(5)(d) Specified Transportation Improvements and Dedications. A list and location map of the required Transportation Improvements are attached hereto as Exhibits “C-1 and C-2,” respectively, and incorporated herein by reference. The Applicant and the City shall cooperate in every reasonable manner to coordinate with the CRA in the

implementation of these improvements. The CRA, City, and County have listed the funded Transportation Improvements in the first three years of their respective CIPs and these lists are consistent with the related CRA interlocal agreement between the two jurisdictions relating to the CRA. Finally, the CRA required that the Applicant provide a letter of credit to provide financial assurance that the tax increment funds will be sufficient to support the debt service on the bonds that were sold to fund the design and construction of the Transportation Improvements and the operations and multi-modal improvements for the CRA, and the Applicant complied with this requirement. Notwithstanding the foregoing, the Applicant shall work and come to an agreement with the City of Lakeland, Polk County, FDOT and Turnpike Enterprise regarding determination and dedication of any required Right of Way (ROW) along the frontage of South Village.

(5)(d)(1) **Lakeside Village Road Preliminary Design and Engineering Feasibility (PDEF) Study.** The Applicant shall contribute \$100,000.00 to the City on or before January 31, 2008 for a preliminary design and engineering feasibility analysis to be performed under the City's direction for the segment of the proposed Lakeside Village Road within the Lakeside Village Road right-of-way (formerly the Wabash extension right-of-way). The Applicant shall cooperate with said analysis and provide access. The conceptual alignment of the roadway and the location of retention and wetland mitigation areas will be determined through this study, as well as the necessary right of way. The study will determine feasibility and alignment within the 120-foot corridor along the western edge of the project boundary as depicted in Exhibit B-1.

(5)(d)(2) **Stormwater Mitigation Area.** The Applicant shall dedicate to the City of Lakeland a portion of the parcels depicted as "Open Space/Retention" or "Open Space/Lakes/Retention" in the Northwest Quadrant of the project and shown on Exhibit "B-1" for use for stormwater management, floodplain compensation and wetlands mitigation with respect to the City's efforts to construct Lakeside Village Road (Wabash Extension). The size and location of the "Mitigation Parcel" shall be determined during the PDEF Study conducted for Lakeside Village Road, in which the stormwater management, floodplain compensation, and wetland mitigation needs for this roadway will be identified. Prior to dedicating portions of these parcels to the City, the Applicant shall be entitled to utilize these parcels for stormwater management,

floodplain compensation and wetlands mitigation for the property within the Northwest Quadrant, owned by Drummond and/or Trammell Crow. The Applicant and the City will work cooperatively to maximize the use of the mitigation parcels to serve both the Applicant's remaining development needs within the Northwest Quadrant and as a mitigation area for the future construction of the Lakeside Village Road (Wabash Extension). Should the mitigation area ultimately donated to the City be less than five (5) acres of usable land, the two parties shall work together to establish feasible alternative mitigation areas adjacent to the 120' Lakeside Village Road right-of-way. The Applicant and the City shall cooperate to determine appropriate access points for Drummond to the Mitigation Parcel prior to the dedication from the Applicant to the City. *The Applicant shall dedicate the Mitigation Parcel to the City of Lakeland within ninety (90) days after the Applicant has received approval from SWFWMD for the constructed mitigation areas related to both the Trammel Crow project and the Grasslands Boulevard Extension and in accordance with the findings of the PDEF Study. In no case shall said dedication be delayed beyond December 2009.*

(5)(d)(3) **Right-of-Way Dedications; Future North-South Road.** On or before December 30, 2018 the Applicant shall dedicate to the City of Lakeland the minimum amount of 120' of right-of-way generally depicted in the attached Exhibit "D-1" and consistent with the City's Preliminary Design and Engineering Feasibility Study to accommodate a future four lane typical section for the Lakeside Village Road, i.e., the future southerly extension of Wabash Avenue from Ariana Street south to Harden Boulevard. Upon dedication of the Lakeside Village Road right-of-way to the City, the City shall be obligated to maintain the area of the right-of-way. However, the Applicant may, at its election, maintain the existing stormwater ditch within the Lakeside Village Road right-of-way. The Applicant shall be provided unlimited access and utility easements across the Lakeside Village Road right-of-way. The City shall reasonably accommodate the access points and easements as part of its design and construction of Lakeside Village Road. At such time that Lakeside Village Road is constructed, any subsequent access shall be governed by the City's access management regulations.

3rd Southbound Lane on Harden Boulevard. The Applicant has dedicated necessary right-of-way to the appropriate jurisdiction for the proposed future extension of

the required second south bound through lane on Harden Boulevard, as generally depicted in the attached Exhibit “D-2”, and for stormwater and floodplain/wetlands mitigation associated with this improvement.

Exhibits “D-1” and “D-2” are hereby incorporated into this Development Order by reference. The dedication of right-of-way for the property generally described in Exhibit “D-2” shall occur no later than ninety (90) days after the preliminary engineering plans have been approved by the City of Lakeland and/or other appropriate jurisdictions or review agencies for such right-of-way.

West Beacon Right-of-Way Dedication. The Applicant shall also dedicate a sixty (60) foot right-of-way, as generally described in the attached Exhibit “B-1” to the City for future road and/or trail construction and/or utility needs for the potential future extension of Beacon Road west to the Lakeside Village right-of-way. The Applicant shall also grant the City an approximately forty (40) foot landscape buffer easement immediately adjacent to and south of the Beacon Road extension right-of-way described in this paragraph, as generally described in the attached Exhibit “B-1.” The right-of-way and easement dedication shall occur prior to the issuance of the first certificate of occupancy for Heritage Lakes, Phase II. The right-of-way and the landscape buffer shall be reflected on the Master Plan, Map “H” for the Development Order. As a specific condition to the City’s ability to utilize the right-of-way for the construction of above-ground utilities or a transportation improvement, the City shall design and fund the construction of a landscape buffer within the landscape buffer easement that is reasonably acceptable to the Applicant (in the form of a written response or acceptance to be provided to the City’s Community Development Director within five (5) business days after receipt of the landscape buffer plan from the City) to reasonably buffer the utility and/or roadway improvements from the residents of the Heritage Lakes and Laurel Glen subdivisions within the Oakbridge DRI. This condition shall be reflected in the dedication of the right-of-way to the City to be recorded in the public records.

(5)(d)(4) **Future Traffic Signal.** The Applicant shall fund and construct a traffic signal in accordance with FDOT signal warrant policies and procedures at access #1, as depicted on Exhibit “B-1,” attached hereto, if traffic signal warrants are met as a result of Lakeside Village impacts. This condition is contingent upon acquiring

necessary approvals from the Florida Turnpike for crossing a limited access ROW line associated with the Polk Parkway, or acquiring ROW for the project from the CSX railroad.

(5)(d)(5) The Applicant may, subject to regulations and approvals from Polk County, construct the proposed connection identified as access #22 on the attached Exhibit “B-1”.

(5)(d)(6) **Internal Access/Connectivity.** The Applicant shall develop internal roadway access from residential areas in the northwest quadrant to Lakeside Village, including future residential immediately adjacent to the regional mall. This access may be secured or gated access, from Grasslands only, and restricted to residents only. **The following access points shall be required and shall be reflected on the Map “H” master plan:**

a. two access points from Lakeside Village Lifestyle Center to the immediately adjacent multi-family uses as reflected in the Trammell Crow zoning ordinance (Ordinance Number 4833);

b. **Grasslands Boulevard Extension** - Prior to the issuance of the first certificate of occupancy for The Sanctuary (or whatever name the development west of the 17th fairway is hereafter named), the Applicant will complete the design and construction of the extension of Grasslands Boulevard from its existing western terminus west to a location as close to the existing wetlands boundary (between Heritage Lakes and The Sanctuary) as SWFWMD will permit such construction. Prior to the issuance of the first certificate of occupancy in The Sanctuary the Applicant shall also post a bond or letter of credit with the City in the amount of an engineer’s design, permitting and construction estimate, subject to review and approval by the City of Lakeland Public Works Department, for the completion of the Grasslands Boulevard Extension from the wetlands boundary to the Lakeside Village Road right-of-way. This provision will provide financial assurance that the remainder of the Grasslands Boulevard Extension construction will be complete or financially provided for and completed concurrent with the construction of the Lakeside Village Road by the City within the Lakeside Village Road right-of-way. The location at which the Grasslands Boulevard Extension will access the Lakeside Village Road shall be identified as access point #23 on Exhibit “B-1” hereto. The Grasslands Boulevard Extension shall be constructed to collector road standards. The Grasslands Boulevard

Extension shall also be connected to a local road to be constructed by the Applicant to provide access to the The Sanctuary subdivision within the DRI. (Future Gate) The Applicant shall cause its conceptual and sales site plans to reflect the Grasslands Boulevard Extension and the gate that shall exist at or near the intersection of the Grasslands Boulevard Extension to the Lakeside Village Road right-of-way. The Applicant shall not be required to construct a gate or the final connection to the Lakeside Village Road right-of-way until such time that the Lakeside Village Road has been constructed and elevations can be determined to design and construct such connection. The Applicant shall provide notice of the Grasslands Boulevard Extension and its connection to the future Lakeside Village Road to persons who purchase lots within the Heritage Lakes, The Sanctuary or Laurel Glen subdivisions after the date of the adoption of this 2007 Amended and Restated Development Order.

c. **Pedestrian Access in the DRI.** Pedestrian access to Lakeside Village shall be provided via sidewalks, trails or paths. An internal, linked pedestrian system shall be developed for all future development in all quadrants beginning with development identified as Phase 1 development on the attached Exhibit “B-2,” and excepting the residential development located in the northwest corner of the northwest quadrant and previously approved by the City in Resolution 4217, adopted September 3, 2002, in response to NOPC #7. With regard to the South Village project, the Applicant shall develop internal roadway access, including sidewalks, and bicycle paths, between the proposed land uses in the South Village such as to promote internal travel between those uses, ensuring internal capture rates that were projected. The Applicant shall be fully responsible for one hundred percent (100%) of all costs for all improvements to internal roadways, sidewalks, bicycle paths and intersection infrastructures.

d. **Northeast Quadrant Access to Future Edgewood Drive.** The Applicant shall provide a pedestrian-only access from the northwest boundary of the Mission Lakes development through access point number 10 as identified on Exhibit “B-1.” As an additional access point, the Applicant shall construct the connection of its internal roadway system within the Mission Lakes development to link with the Edgewood Drive Extension at the location identified as access point number 25 on Exhibit “B-1.” This connection may be secured or gated.

e. **Access Point 24.** The Applicant may provide a northbound left-in as well as the right-in/right-out movements permitted through access point number 24 as identified on the Narrative Description of Access Points attached as Exhibit “B-3,” provided; however, no left-out shall be allowed at this access point.

f. **North Village Parcel A Interconnectivity.** The Applicant shall develop the 15,000 square foot Parcel A (aka Walgreen’s / pharmacy site) to allow for interconnectivity with the North Village project between parking lots and along the common spine road.

g. **Access Point 28.** The Applicant can construct, subject to approval from FDOT, a right-in, right-out access at access point 28 as identified on the Narrative Description of Access Points attached as Exhibit “B-3,” provided, however, that the right-out movement for such access point shall be removed within sixty (60) days after the Applicant has constructed access point 27, unless the City and the Florida Department of Transportation (FDOT) approves the retention of access point 28 at such time that the Applicant seeks final approval for the construction of access point 27.

(5)(d)(7) **Transit Kiosk.** The Applicant paid up to \$1,000.00 towards the purchase and installation of an informational transit kiosk to be attached to or located near the existing transit shelter at Lakeside Village by either the Lakeside Village owner or LAMTD.

(5)(d)(8) **Transit Shelter.** The Applicant shall fund and include a transit shelter in the North Village project, in a location approved by the City, which shall be constructed no later than the second certificate of occupancy within the North Village project. In addition, the Applicant shall construct one (1) additional transit shelter (“**South Village Transit Shelter**”) and one (1) additional super transit shelter (“**South Village Super Transit Shelter**”) within the South Village project. Either the South Village Transit Shelter or the South Village Super Transit Shelter shall be constructed before the third certificate of occupancy within the South Village project. The applicant shall construct the latter of the South Village Transit Shelter or the South Village Super Transit Shelter before the sixth certificate of occupancy within the South Village project or the first certificate of occupancy within the regional mall component, whichever comes first. With regard to the South Village project, the Applicant shall coordinate with the local Community

Transportation Coordinator and/or transit authority, as appropriate, regarding evaluation, incorporation and implementation of transportation assistance programs to serve transportation disadvantaged residents and employees within the South Village project. The Applicant shall coordinate with the LAMTD or successor transit agency to facilitate the inclusion of the South Village into the transit system routes. For North and South Villages, the applicant shall execute transit access and maintenance agreements with the transit provider for each required on-site stop.

(5)(e) Traffic Monitoring. Beginning May 15, 2008 and each year thereafter, the Applicant shall submit to the City a traffic monitoring report (“TMR”) that will be formulated according to a methodology that has been previously agreed upon by the City, the CFRPC, the Polk County TPO, the FDOT and the Florida Turnpike, and each of these parties shall receive a copy of the TMR and may submit review comments to the City and Applicant. The TMR shall include, at minimum, the following information:

(5)(e)(1) The total amount of development approved by this Development Order, as may be hereafter amended (the “Development”).

(5)(e)(2) The total estimated number of daily and peak-hour/peak direction/peak season trips, hereafter referred to simply as peak hour trips, generated by the Development based upon the then developed uses and trip generation rates consistent with the transportation analysis provided to the City in the ADA. Monitoring dates shall be agreed upon within the methodology discussion.

(5)(e)(3) The amount of Development existing as of the date of the TMR.

(5)(e)(4) The daily and peak-hour traffic generated by the portion of the Development existing as of the date of the TMR based upon the then developed uses and trip generation rates consistent with the transportation analysis provided to the City in the ADA.

(5)(e)(5) An assessment as to whether the total traffic generated by the portion of the Development existing as of the date of the TMR is substantially consistent with the Development phasing approved under this Development Order.

For the purposes of annual monitoring, the Applicant shall be considered to be in compliance with this Development Order if traffic generated for the portion of the

Development existing as of the date of the TMR is substantially consistent with the phased Development traffic approved by this Development Order and where development impacts are within an acceptable range of the transportation impacts predicted in the traffic study for the 2007 ADA. The acceptable range shall be that impacts are within 15% of the projected peak hour trip generation for each phase.

No new permits for development shall be issued if the roadway levels of service decrease below acceptable standards and project volumes constitute at least five percent (5%) of the adopted level of service standard on a significantly impacted roadway as defined within the study area for the Traffic Study. Previously permitted development shall be allowed to continue construction until completion. If development permits are required to stop as provided in this paragraph, then new development permits shall not be issued until transportation improvements necessary to return the roadway(s) to acceptable levels of service are under construction or funded within the first three years of an adopted CIP, CRA trust fund or State capital work program. Notwithstanding, the Applicant shall be considered compliant with respect to the requirements of the City's Concurrency Management System and ordinance for the land uses allowed herein if it complies with the provisions of this Development Order by providing the financial assurance requested by the CRA as it relates to the funding mechanism for the Transportation Improvements and complies with the Transportation Commitments.

(6) Impact Fees. Impact fees shall be paid at time of request for building permit or as required under the adopted City Impact fee ordinances. Credits for any contribution, payment, construction or land dedication received and accepted by the City for roadway improvements shall be governed by the provisions of the City of Lakeland's Transportation Impact Fee Ordinance, i.e., Ordinance 2978, as amended.

(7) Provision of Public Facilities. The Applicant has facilitated the creation of the Harden-Parkway CRA to fund the Transportation Improvements and shall otherwise perform the Transportation Commitments in satisfaction of the Applicant's transportation concurrency requirements hereunder.

(8) Acceptance Of Public Roads And Utilities. No internal roads or public utility facilities will be accepted for maintenance by the City until the Applicant has established, to the satisfaction of the City, the structural stability and soundness of the roads

and facilities. In the event any road or public utility facility is in an unacceptable condition, the Applicant shall correct the deficiencies within a reasonable time, and shall retain the responsibility for the maintenance of the road or facility until it is determined that the deficiencies have been corrected. The determination of structural stability and soundness shall be made by a professional engineer retained by the City.

(9) Provision of Easements for the Extension of Public Utilities. In various circumstances the Applicant has provided easements for the extension of public utilities throughout the development. The Applicant shall continue to cooperate with the City to provide necessary public easements for the completion of utility line extensions to serve the project, including those needed to complete the Southwest Lakeland Wastewater Transmission line. Said easements for utility improvements shall not be unreasonably denied nor shall the City by requiring an easement cause an unnecessary impact on the Applicant's property. The City and Applicant will seek to cooperate to create a twenty-five foot (25') easement in the vicinity of the Polk Parkway North Frontage Road and Drummond Property for the possible extension of the aforementioned wastewater transmission line.

SECTION 7. ADMINISTRATION.

(1) Scope of This Order. Development activities in the Oakbridge DRI shall be subject to the terms and conditions of this Development Order and shall not be subject to future development of regional impact review, pursuant to Section 380.06, Florida Statutes, unless the City determines that a proposed change constitutes a substantial deviation, pursuant to Section 380.06(19), Florida Statutes.

(2) Substantial Deviation. No change shall be made to this Development Order or to the approved land uses, unless and until the City has approved and authorized the change. The Oakbridge DRI and this Development Order shall be subject to and fully comply with Section 380.06(19), Florida Statutes, regarding "substantial deviations." Amendments to the City's Comprehensive Plan required to make the Comprehensive Plan and the DRI Master Plan consistent, shall not constitute substantial deviations to this Development Order or require amendment hereof. Failure to comply with the conditions contained in Section 6 hereof, shall constitute a violation of this Development Order and

may result in the termination of development activities. In the event the Applicant fails to comply with the provisions of this Development Order, the City Manager may issue a notice of such non-compliance to the Applicant.

(3) Expiration of Order. This Development Order shall remain in effect through October 22, 2023. Any development activity wherein final development plans have been submitted to the City for its review and approval prior to the expiration date of this Development Order may be completed, if approved. This Development Order may be extended by the City Commission on the finding of excusable delay in any proposed development activity.

(4) Other Rules, Regulations and Ordinances. The provisions of this Development Order shall not be construed as a waiver or exception of any rule, regulation or ordinance of the City and, therefore, any further review and approval required by the City shall be subject to all such applicable rules, regulations and/or ordinances in effect at the time of the review. Likewise, the provisions of this Development Order shall not be construed as a waiver or exception of any rule, regulation or criteria of any Federal, State or Regional agencies and, therefore, any reviews required by such agencies shall be subject to the rules, regulations and criteria in effect and applicable to the development of the Oakbridge DRI at the time of review. Provided, however, that development rights approved by this Development Order may not be revoked or modified except as provided by Chapter 380, Florida Statutes, and the Applicant shall be deemed to comply and meet the requirements of the City's Concurrency Management System and ordinance as long as the Applicant acts in substantial compliance with all of the provisions of this Development Order, provided reasonable advance written notice is provided by the City to the Applicant in the event of any alleged failure to act in compliance with the provisions of this Development Order.

(5) Downzoning/Vesting of Facilities and Services. The City agrees that the Oakbridge DRI shall not be subject to downzoning, unit density reduction, or intensity reduction, during the term of this Development Order and that the improvements to or construction of the public facilities and services necessary to serve the Oakbridge DRI, as delineated herein, which are currently or become a part of the City's CIP shall not be arbitrarily removed from said CIP during the term of this Development Order, unless the

City can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred or the Development Order was based on substantially inaccurate information provided by the Applicant or that the change is clearly established by the City to be essential to the public health, safety or welfare.

(6) Local Monitoring/Enforcement. The City shall be responsible for monitoring development and enforcing the provisions of this Development Order. The City Manager, or his/her designee, shall be the local official responsible for assuring compliance with this Development Order. The City shall not issue any permit or approval or provide any extension of service if the Applicant fails to act in substantial compliance with the provisions of this Amended Development Order, provided reasonable advance notice is given by the City to the Applicant.

(7) Annual Report. The Applicant shall submit an annual report on the DRI to the City and all other agencies entitled to receive a copy pursuant to Florida law, and including Polk County, by May 15 each year beginning with 2004 and yearly thereafter. The annual report shall contain the following information as well as other information required by this Development Order:

(a) Any changes in the plan of development, or in the representations contained in the ADA, or in the phasing for the reporting year and for the next year, and an updated version of Map H and/or Exhibits “B-1” and “B-2”, Table of Land Uses, as needed, in both hard and electronic copy format;

(b) A summary comparison of development activity proposed and actually conducted for the year within the area of the Harden-Parkway CRA;

(c) A status report of the progress of the Transportation Improvements;

(d) Identification of undeveloped tracts that have been sold to a separate entity or developer;

(e) Identification and intended use of lands purchased, leased or optioned by the Applicant adjacent to the original DRI site since the Development Order was issued;

(f) A special assessment of the Applicant’s and the City's compliance with each individual condition of approval contained in the Development Order;

(g) Any known incremental DRI applications for development or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;

(h) An indication of change, if any, in local government jurisdiction for any portion of the development since the Development Order was issued;

(i) A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;

(j) Intentionally deleted;

(k) A statement that all persons have been sent copies of the annual report in conformance with Section 380.06, Florida Statutes; and

(l) A copy of any recorded notice of the adoption of a Development Order or the subsequent modification of an adopted Development Order that was recorded by the developer pursuant to paragraph 380.06(15)(f), Florida Statutes.

(m) A copy of the required TMR as described herein.

At the time the annual report is sent to the City, copies shall also be sent to CFRPC, DEO, and all other agencies entitled to receive a copy pursuant to Section 380.06, Florida Statutes. If the City does not receive the annual report or receives notification that CFRPC or DEO has not received the annual report, the City may request, in writing, that the Applicant submit the report within thirty (30) days. The Applicant may request an extension of deadline from the City. The failure to submit the report after thirty (30) days, or an extended deadline if granted by the City, may result in the City's temporary suspension of the Development Order until such time that the annual report is submitted.

SECTION 8. RECORDING. Notice of the adoption of this Development Order or any subsequent modification of this Development Order shall be recorded by the Applicant in accordance with Section 28.222, Florida Statutes, with the Clerk of the Circuit Court for Polk County, Florida, at the Applicant's expense, immediately after the effective date of this Development Order or any subsequent modifications of this Development Order in compliance with Section 380.06(15)(f), Florida Statutes. The recording of this

notice shall not constitute a lien, cloud, or encumbrance on the property, or actual or constructive notice of any such lien, cloud, or encumbrance on the property. A copy of evidence of such recording shall be provided to the City within ten (10) days of the effective date of the amendment to the Development Order.

SECTION 9. APPLICABLE LAWS. Development based upon this Development Order shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the City Commissioners of the City of Lakeland, Florida.

SECTION 10. EFFECTIVE DATE. This Development Order shall take effect upon the end of the last applicable appeal period for all development approvals in accordance with the provisions of Chapter 380, Florida Statutes and when transmitted by First Class Certified U.S. Mail, return receipt requested, to the CFRPC and the FDEO.

PASSED AND CERTIFIED AS TO PASSAGE this 4th day of June, 2018.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
TIMOTHY J. McCAUSLAND
CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by H. WILLIAM MUTZ, Mayor of the City of Lakeland, Florida, on behalf of the CITY, who is personally known to me or who has produced _____ as identification.

NOTARY PUBLIC

Print Name: _____
Commission No.: _____
Commission Expires: _____
Commission No.: _____

SIGNED, SEALED AND DELIVERED:
IN THE PRESENCE OF:

DRUMMOND COMPANY, INC., an
Alabama corporation

Print Name:_____

By:_____

LEONARD MASS
VICE PRESIDENT

Print Name:_____

Date:_____

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by LEONARD MASS, VICE PRESIDENT of DRUMMOND COMPANY, INC., an Alabama corporation, authorized to do business in the State of Florida, who is personally known to me or who has produced _____ as identification.

NOTARY PUBLIC

Print Name:_____

Commission No.:_____

Commission Expires:_____

Commission No.:_____

**EXHIBITS TO AMENDED AND
RESTATED DEVELOPMENT ORDER**

- EXHIBIT “A” - LEGAL DESCRIPTION**
- EXHIBIT “A-2” - PROJECT LOCATION MAP**
- EXHIBIT “A-3” - CRA MAP**
- EXHIBIT “B-1” - MAP “H”, MASTER PLAN**
- EXHIBIT “B-2” - TABLE OF LAND USES**
- EXHIBIT “B-3” - EXTERNAL ROAD ACCESS
POINTS**
- EXHIBIT “C-1” - LIST OF TRANSPORTATION
IMPROVEMENTS**
- EXHIBIT “C-2” - MAP OF TRANSPORTATION
IMPROVEMENTS**
- EXHIBIT “D-1” - RIGHT-OF-WAY DEDICATION,
WABASH-HARDEN
CONNECTOR**
- EXHIBIT “D-2” - RIGHT-OF-WAY DEDICATION,
3RD LANE, HARDEN BLVD.**

EXHIBIT "A-1"

LEGAL DESCRIPTION

Oakbridge Development of Regional Impact, Lakeland, FL

For clarification the following legal description is the one adopted with the original Development Order in 1987 less the Southwest Quadrant of the intersection of the Polk Parkway and Harden Boulevard. That area was purchased by the State from the DRI as part of the Parkway project.

Tract A: The Northwest 1/4 of the Northwest 1/4, less the East 160.0 feet thereof; the South 1/2 of the Northwest 1/4; the North 1/2 of the Southwest 1/4; the North 470.0 feet of the Southeast 1/4 of the Southwest 1/4; less the South 100.0 feet of the East 435.6 feet thereof, and LESS; Commence at the Southeast corner of the Northeast 1/4 of the Southwest 1/4, thence North 01°41'28" West along the East line of said Northeast 1/4 of the Southwest 1/4 a distance of 126.98 feet to the point of beginning; thence continue North 01°41'28" West 871.20 feet; thence South 88°25'40" West 150.0 feet; thence South 01°41'28" East 871.20 feet; thence North 88°25'40" East 150.0 feet to the Point of Beginning, and less and except, begin at the Southwest corner of the East 160.00 feet of the NW 1/4 of NW 1/4 of Section 1, Township 29 South, Range 23 East, Polk County, Florida; thence South 88°37'38" West along the South line of said NW 1/4 of NW 1/4 a distance of 110.00 feet; thence North 01°51'30" West parallel with the West line of said East 160.00 feet of the NW 1/4 of NW 1/4 a distance of 730.92 feet; thence North 88°39'04" East 110.00 feet to said West line of the East 160.00 feet; thence South 01°51'30" East along said West line 730.87 feet to the said Point of Beginning all being in Section 1, Township 29 South, Range 23 East, Polk County, Florida, and less and except right-of-way.

Tract B: All of Section 2, Township 29 South, Range 23 East, lying East of the Atlantic Coast Line Railroad (now Seaboard Systems Railroad) right-of-way, less that portion of the East 1/2 of the Southeast 1/4 lying East of the Seaboard Coast Line Railroad and West of the Central Avenue Extension (now Harden Boulevard). and less and except right-of-way.

LESS AND EXCEPT

That portion of the North 1/2 of Section 2, Township 29 South, Range 23 East, Polk County, Florida being south of State Road 570 (Polk County Parkway), west of Harden Boulevard and east of CSX Railroad.

Tract C: The West 1/2 of Section 36, Township 28 South, Range 23 East, Less the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 and Less beginning at the Southwest corner of Block D, Palmorey Addition, Lakeland, run North 383 feet, West 35 feet, South 383 feet, East 35 feet, to beginning, and Less certain portions of the Northeast 1/4 of Northwest 1/4 located generally along or near the Easterly line of said Northeast 1/4 of Northwest 1/4 extending between Young Place and Edgewood Drive in Lakeland, and being more particularly described in segments as follows:

(a) The East 25 feet of the North 533.85 feet of the South 1/2 of aforesaid Northeast 1/4 of the Northwest 1/4, the herein described portion.

(b) That portion of the North 663 feet of aforesaid Northeast 1/4 of Northwest 1/4 lying within 25 feet of a certain survey line being the centerline of proposed construction for Lincoln Avenue from Young Place to Edgewood Drive.

(c) That portion of the aforesaid Northeast 1/4 of Northwest 1/4 lying between the portion recited in (b) next above and the West line of the South 383 feet of the North 663 feet of said Northeast 1/4 of Northwest 1/4.

(d) That portion of the aforesaid Northeast 1/4 of Northwest 1/4 lying between the portion recited in (b) above and East line of the North 280 feet of said Northeast 1/4 of Northwest 1/4.

(e) Less and except right-of-way.

Tract D: All that portion of Section 35, Township 28 South, Range 23 East, lying East of the Atlantic Coast Line Railroad (now Seaboard Systems Railroad) right of way, and that part of San Gully Heights as recorded in Plat Book 38, Page 43 of Public Records of Polk County, Florida lying in said Section, Less and Except: Begin at the East corner of Lot 13, of San Gully Heights Subdivision as recorded in Plat Book 38, Page 43 of the Public Records of Polk County, Florida; thence run South 45°44'15" West 385 ft.; thence South 44°15'45" East 40 feet: thence North 45°44'15" East 385 feet; thence North 44°15'45" West 40 feet to the Point of Beginning and Less and Except that part conveyed to Seaboard Systems Railroad described as: That part of the Southwest 1/4 of Section 35, Township 28 South, Range 23 East, Polk County, Florida, described as follows: Commence at the Northwest corner of said Southwest 1/4; thence South 01°25'38" East along the West line of said Southwest 1/4 a distance of 689.49 feet to a point being 30.00 feet, measured at a right angle, North of the Centerline of the Seaboard Coast Line Railroad mainline; thence South 51°48'00" East and parallel to said mainline 2425.00 feet to the Southeast corner of Tract 2 as recorded in Deed Book 959, Pages 443 and 444 of the Public Records of said Polk County; thence North 38°12'00" East along the Easterly line of said Tract 2 a distance of 30.00 feet to the Point of Beginning; thence continue North 38°12'00" East still along said Easterly line 45.00 feet to the Northeast corner of said Tract 2; thence North 51°48'00" West along the Northerly line of said Tract 2 a distance of 800.00 feet; thence North 38°12'00" East 35.00 feet; thence South 51°48'00" East 1593.23 feet to the South line of said Southwest 1/4; thence South 88°36'22" West along said South line 125.52 feet to the Northerly line of the tract of land described in Deed Book 986, Page 135; thence North 51°48'00" West 696.51 feet to the Point of Beginning; Less and except right-of-way.

Tract E: The S 1/2 of Section 26, Township 28 South, Range 23 East, Less that part of the NE 1/4 of the SE 1/4 lying East of Central Avenue (now Harden Boulevard), Lakeland, Florida including that portion of San Gully Heights as recorded in Plat Book 38, Page 43 of Public Records of Polk County, Florida, lying in said Section, Less and Except right-of-way.

AND LESS: That part of the N 1/2 of the SE 1/4 of Section 26, Township 28 South, Range 23 East, described as follows: Begin at the Northeast corner of the SE 1/4 of Section 26, Township 28 South, Range 23 East, run thence South along the East line of said SE 1/4 a distance of 100.0 feet, run thence North 89°46'00" West and parallel with the North line of said SE 1/4 a distance of 50.0 feet to a point on the West right-of-way line of Central Avenue, as located this date 9/5/74 (now Harden Boulevard), said point being the point of beginning for this description, run thence South along said right-of-way line a distance of 200.20 feet to the beginning of a curve to the right having a radius of 586.62 feet, run thence Southwesterly along said right-of-way curve through a central angle of 41°00'00" an arc distance of 419.77 feet to the end of said curve, run thence South 41°00'00" West along said right-of-way line a distance of 252.19 feet to the beginning of a curve to the left having a radius of 868.51 feet, run thence Southwesterly along said right-of-way curve through a central angle of 33°18'00" an arc distance of 504.77 feet to the intersection with the South line of the N 1/2 of said SE 1/4, run thence North 89°51'57" West along the South line of the N 1/2 of said SE 1/4 distance of 450.0 feet, run thence North and parallel with the East line of said SE 1/4 a distance of 660.0 feet, run thence North 89°46'00" West and parallel with the North line of

said SE 1/4 a distance of 1003.10 feet to the East line of the West 640.0 feet of the N 1/2 of said SE 1/4, run thence N 0°10'00" East along said East line a distance of 572.11 feet to a point on a line 100.0 feet South of the North line of said SE 1/4, run thence South 89°46'00" East and parallel with the North line of said SE 1/4 a distance of 1965.09 feet to the Point of Beginning; That part of the North 1/2 of the Southeast 1/4 of Section 26, Township 28 South, Range 23 East, Polk County, Florida, described as follows: Commence at the Northeast corner of the Southeast 1/4 of said Section 26; Thence South 01°32'45" West along the East boundary of said Southeast 1/4 a distance of 100.0 feet; Thence South 88°31'51" West, and parallel with the North boundary of said Southeast 1/4 a distance of 50.00 feet to the West right-of-way line of Central Avenue (now Harden Boulevard) as located on September 5, 1974; thence continue South 88°31'51" West and still parallel to the North boundary of said Southeast 1/4 a distance of 1964.06 feet to the East line of the West 640.00 feet of said North 1/2 of the Southeast 1/4, said point being the Point of Beginning, said point also being the Northwest corner of a parcel of land (the "Century Parcel") conveyed to Century Realty Funds, Inc., by American Legion Post No. 4 of Lakeland, Florida, by deed dated April 15, 1981, and recorded in Official Records Book 2011, page 177, and by corrective deed from the same grantor dated April 15, 1981, and recorded in Official Records Book 2022, page 1769, public records of Polk County, Florida (said point also being the Southwest corner of a 100 foot wide strip of land conveyed by Drummond Coal Company to Sam R. Rodgers, as trustee, by deed dated November 3, 1982, and recorded in Official Records Book 2116, page 2228, public records of Polk County, Florida); Thence North 01°33'04" West 100.00 feet to the North line of said Southeast 1/4; Thence South 88°31'15" West along said North line 640.00 feet to the Northwest corner of said Southeast 1/4; Thence South 01°33'04" East along the West line of said Southeast 1/4 a distance of 1325.76 feet to the Southwest corner of said North 1/2 of the Southeast 1/4; Thence North 88°36'13" East along the South line of said North 1/2 a distance of 1643.04 feet to point being 450.00 feet West of the West right-of-way line of the aforesaid Central Avenue; Thence North 01°32'45" West and parallel to the East line of said Southeast 1/4 a distance of 660.00 feet; Thence South 88°31'15" West and Parallel to the North line of said Southeast 1/4 a distance of 1003.10 feet again to the East line of the West 640.00 feet of said Southeast 1/4; Thence North 01°33'04" West along said East line 568.13 feet to the Point of Beginning. And less that part conveyed to Sam R. Rodgers, described as: The North 100.00 feet of the Southeast 1/4 less the West 640.00 feet thereof lying west of Harden Boulevard.

Tract F: The Southwest 1/4 of the Southwest 1/4 of Section 25, Township 28 South, Range 23 East, and that part of the Southeast 1/4 of the Southeast 1/4 lying East of the Central Avenue Extension (now Harden Boulevard) of Section 26, Township 28 South, Range 23 East, Less and except that part lying North of San Gully Road.

EXHIBIT "A-2" PROJECT LOCATION MAP, OAKBRIDGE DRI

EXHIBIT "A-2"

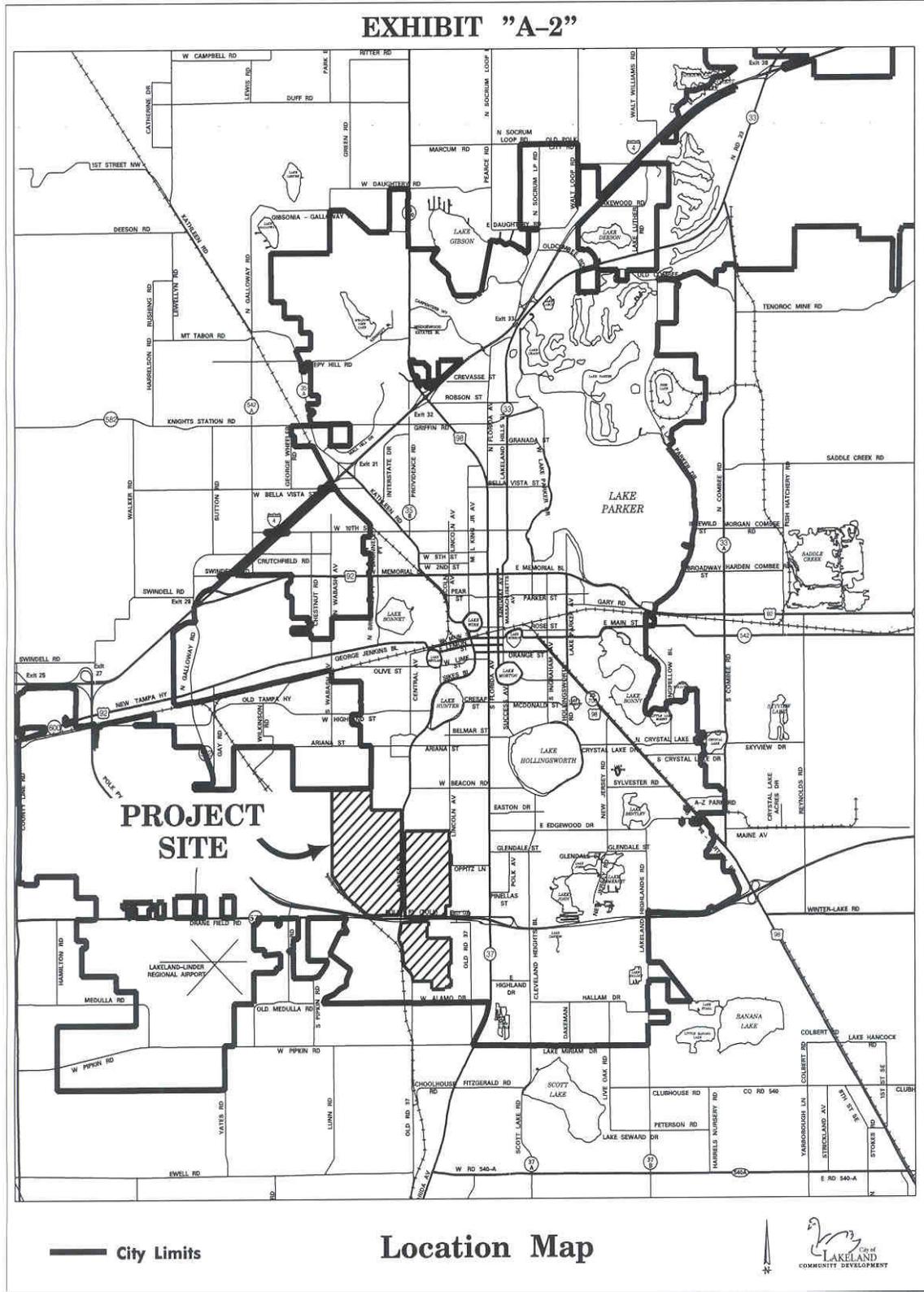
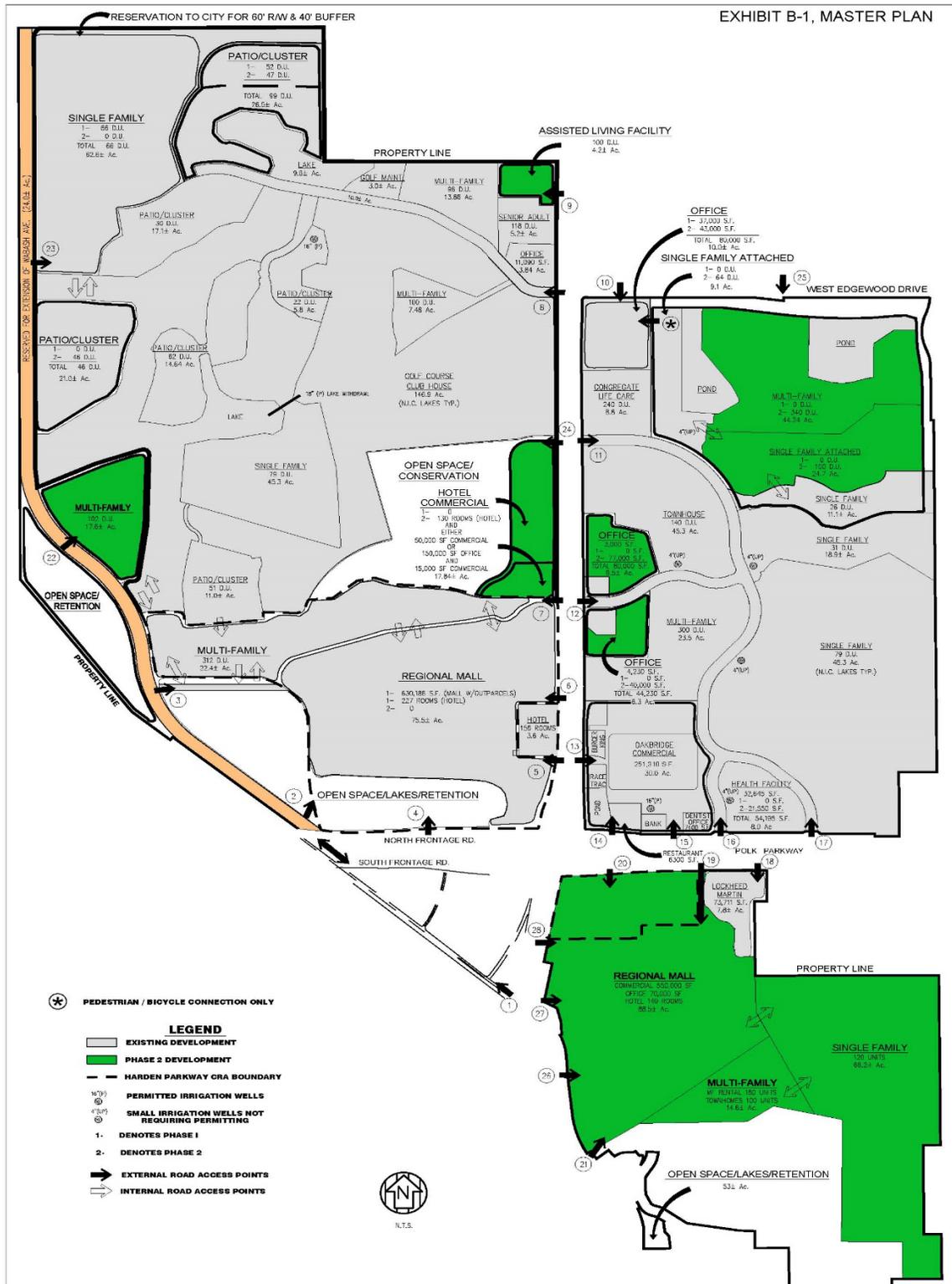


EXHIBIT "B-1" MASTER PLAN

EXHIBIT B-1, MASTER PLAN



DRUMMOND COMPANY, INC.
 OAKBRIDGE DEVELOPMENT OF REGIONAL IMPACT
 2017 AMENDED AND RESTATED DEVELOPMENT ORDER

SEC.'S 28, 35, 36 (T28S, R23E), AND 1 (T29S, R23E), POLK CO., FL.
BY: KIMLEY-HORN & ASSOCIATES, INC. DATE: 10/09/2017
FILE: REVISED:

**EXHIBIT B-1 (MAP H)
 MASTER DEVELOPMENT PLAN**

EXHIBIT "B-2" TABLE OF LAND USES AND DEVELOPMENT DATA

Exhibit B-2 Table of Land Uses and Development Data											
Drummond Company, Inc.											
2017 Amended and Restated Development Order, Oakbridge Development											
Land Use	NW Quadrant		NE Quadrant		SW Quadrant		SE Quadrant		Totals		Development by Specific Name/Location (Black = Developed; Blue = Undeveloped; Green = Propose) Totals for each land use are in chart
	AC	Units/SF	AC	Units/SF	AC	Units/SF	AC	Units/SF	AC	Units/SF	
Single Family	107.90	145	74.40	136			66.4	120	240.70	401	Single Family 401
Patio Cluster	96.04	310							96.04	310	NW Fairway Lakes 79 NW Heritage Lakes 66 NE Bridgefield 79 NE Oakpark 26 NE Summerfield 31 SE South Village 119
Senior Adult	5.20	118							5.20	118	NE Summerfield 31 SE South Village 118
Townhouse			45.30	140					90.43	278	SE South Village 118
Stonewater			9.10	64							Patio Cluster 310
Mission Lakes Phase 1							7.00	100			NW Shoat Creek 62 NW Turnberry 51 NW Prestwick 22 NW Bellevue 30 NW Laurel Glen 99 NW Sanctuary 46
South Village	4.33	42									Senior Adult 118
New Heritage			24.70	100							NW Azelea Park 118
Mission Lakes - Vacant											Townhouse 404
Multi-Family									136.68	1,430	NE Stonewater 140 NE Mission Lakes Vacant 100 NE Mission Lakes Ph 1 64 SE South Village 100
Grasslands West	17.60	102									Multi-Family 1,430
Willowbrooke			23.50	300							NE Willowbrooke 300 SE South Village 138
Enclave	7.48	100									NW Enclave 100
Alexan Village	22.40	312									NW Muirfield Village 96 NW Alexan Village 312 NW Grasslands West 162 NE ML Apartments 340
	13.86	96	44.24	340			7.6	180.0			
Congregate Living			0.00	240					13.00	340	NE Stonewater 140 NE Mission Lakes Vacant 100 NE Mission Lakes Ph 1 64 SE South Village 100
	4.2	100									Multi-Family 1,430
Total Residential Units	279.01	1,325	230.04	1,320			81.00	400	590.05	2,877	NE Willowbrooke 300 SE South Village 138
Commercial			30.00	234,883					48.75	301,310	NW Enclave 100 NW Muirfield Village 96 NW Alexan Village 312 NW Grasslands West 162 NE ML Apartments 340
Oakbridge			1.57	11,600							
Hilton	16.37	50,000									
North Village			0.81	4,827							
Too Jays											
Regional Mall									155.10	1,180,186	NE Park Club 240 NW Grasslands ALF 100
South Village											Commercial 301,310
Lakeside Village	75.50	630,186					79.60	550,000			NE Oakbridge SAC 79,850 NE RaceTrack/Burger King 6,508 NE Bank 6,787 NE Target 134,357 NE Dentist 7,381 NE Too Jays 4,027 NE North Village 50,000 NW North Village 50,000
Office	3.84	11,090	25.80	204,230			12.60	143,711	60.08	509,031	NE LR Health 20,000 NE LR Health 60,000 NW Grasslands Blvd 11,090 NW North Village 150,000 SE Lockheed Martin 73,711 SE South Village 70,000 NE Falls w/o GTE Credit 76,000 NE GTE Credit Union 4,000 NE BB&T Bank 4,230 NE East Village 40,000
	17.84	150,000									
Business Park	20.00	0							20.00	0	Hotel 653
Hotel Rooms	3.60	393					2.60	140	24.04	653	NW Marriotts 156 SE South Village 119 NW Hampton Inn 117 NW H2 Suites 119 NW North Village 100
	17.84	130									Health Facility 54,195
Health Facility			8.00	54,195					8.00	54,195	NE Watson Clinic South 54,195
Recreation Facility									1.23	0	
Golf Club		30,000							NA	30,000	
Golf Course (Nil Club)	146.90								146.90	NA	
Lakes/Retention	94.62		24.00				63.61		172.13	NA	
Open Space/Lakes/Retention			16.10				79.19				
Open Space	66.70		16.50				-		83.20	NA	
Open Recreation			0.90						0.90		
Note:											

EXHIBIT “B-3”
NARRATIVE DESCRIPTION OF EXTERNAL ACCESS POINTS
AS SHOWN ON MAP “H”, MASTER PLAN, EXHIBIT “B-1”

The following relate numerically to the access point numbers on Map “B-1”. The description of these points refers to the ultimate configuration not necessarily the initial construction or permitting thereof. In all references Lakeside Village is “the regional mall”.

1. Connection to Harden Boulevard from Beaker Boulevard / Future Lakeside Village Road, to be fully signalized when warrants are met and as approved by the FDOT.
2. Full access for Lakeside Village to the future Lakeside Village Road.
3. Full access from future Lakeside Village Road for Lakeside Village.
4. Right-in, right-out access from the Polk Parkway North Frontage Road for Lakeside Village.
5. Right-in, right-out access to Harden Boulevard for Lakeside Village.
6. Right-in, right-out access to Harden Boulevard for Lakeside Village.
7. Fully signalized intersection on Harden Boulevard.
8. Fully signalized intersection on Harden Boulevard for Grasslands Boulevard.
9. Right-in, right-out access to Harden Boulevard.
10. Private driveway access to Edgewood Extension. Additionally, there will be pedestrian access from Mission Lakes Single Family Attached west through the Office parcel.
11. Access to Harden Boulevard for Oakbridge Boulevard.
12. Access to Harden Boulevard for Oakbridge Parkway.
13. Right-in, right-out access to Harden Boulevard for Oakbridge Shopping Centre.
14. Right-in, right-out access to Oakbridge Shopping Centre from Polk Parkway North Frontage Road. Subject to modification upon TMR data indicating a safety hazard and as required by FDOT.
15. Right-in, right-out access to Oakbridge Shopping Centre from Polk Parkway North Frontage Road.
16. Right-in, right-out access to Oakbridge Lakes Drive from Polk Parkway North Frontage Road.
17. Right-in, right-out access to Oakbridge Boulevard from Polk Parkway North Frontage Road.
18. Right-in, right-out access to the 73,711 SF office building (currently Lockheed Martin) from the Polk Parkway South Frontage Road.
19. Right-in, right-out access to Lockheed Martin and development in South Village (the SE Quadrant of Oakbridge from the Polk Parkway South Frontage Road).
20. Right-in only access to development in South Village from the Polk Parkway South Frontage Road.
21. Access to Harden Boulevard for South Village.
22. Access to the multi-family development from Lakeside Village Road.
23. Access to the Grasslands Boulevard Extension from Lakeside Village Road.
24. Access to North Village development from Harden Boulevard.
25. Access to Mission Lakes Multi-Family from Edgewood Extension.
26. Access to South Village from Harden Boulevard.
27. Connector from Harden Boulevard to South Village, to be fully signalized when warrants are met and as approved by the FDOT.
28. Right-in, right-out Access to South Village, with the right-out movement being removed in compliance with Condition (5)(d)(6)g, unless allowed to remain by City and FDOT in compliance with that condition. No left-out shall be permitted at this access point.

EXHIBIT "C-1"
LIST OF TRANSPORTATION IMPROVEMENTS

Exhibit "C-1"
Harden/Parkway CRA
Summary of Estimated Transportation Related Improvement Costs

Item No.	Work Activity	Phase	Estimated Cost	Total Cost	Jurisdiction	Proposed Const. Start (Yr)
1	Pipkin Rd/Harden Blvd/Old Hwy 37 intersection realignment and 3-laning of Harden Blvd. to south of Polk Parkway.	Design	\$750,000	\$18,533,300	County	2009
		ROW	\$7,333,300			
		Construction	\$10,450,000			
2	Lake Miriam at Cleveland Heights intersection improvements: Add right turn lane to south, east and west legs.	Design	\$379,000	\$1,421,000	County	2009
		ROW	\$242,000			
		Construction	\$800,000			
3	Alamo Drive at SR 37 intersection improvements: Add left turn lane on eastbound Alamo.	Design	\$480,000	\$2,680,000	City	2009
		ROW	\$1,100,000			
		Construction	\$1,100,000			
4	Harden Blvd. sidewalk: From Lakeside Village to Beacon Road on west side and from Polk Parkway to San Gullely Road on east side.	Design	\$70,000	\$500,000	FDOT	2007
		ROW	\$0			
		Construction	\$430,000			
5	SR 37 sidewalk: From Alamo Dr. to CR 540A on west side.	Design	\$55,000	\$775,000	FDOT	2007
		ROW	\$0			
		Construction	\$720,000			
6	Install 11 bus shelters (\$15,000/each)	Design	\$0	\$165,000	LAMTD	2007-2009
		ROW	\$0			
		Construction	\$165,000			
7	Purchase 1 new bus	Price	\$250,000	\$250,000	LAMTD	2007
8	Bus operation cost: Includes 50% funding for years 1-3 and 100% funding for years 4-6. Cost per year = \$134,000. LAMTD shall provide peak hour service for a minimum of three years, and shall strive to provide such service for six years, subject to the sufficiency of the approximately \$928,278.00 in funds provided by the CRA (\$803,000.00), FDOT (\$256,330.72) and Drummond (\$68,947.99) to fund such service.	Price	\$603,000	\$603,000	LAMTD	2005-2011
Total estimated cost of program				\$24,927,300		

EXHIBIT C-2, LOCATION OF TRANSPORTATION IMPROVEMENTS, OAKBRIDGE DRI

